

REMARKS/ARGUMENTS

In the Final Office Action of May 11, 2010, claims 1, 2, 8-13 and 16 were rejected under 35 U.S.C. 102 and 35 U.S.C. 103. In particular, claims 1, 8, 9-13 and 16 were rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Shen (U.S. Pat. Pub. No. 2004/0116087A1) while claim 2 was rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Shen in view of Durec (U.S. Pat. No. 6,144,846). Additionally, claims 3-7 were withdrawn from further consideration. Furthermore, claims 14 and 15 were objected to for depending on withdrawn claims 3 and 4.

On July 9, 2010, a telephone interview between the undersigned attorney and Examiner Ajibola A. Akinyemi was conducted. In the telephone interview, the restriction requirement was discussed. As a result, the Examiner agreed to withdraw the restriction requirement. In addition, proposed amendments to independent claims 1, 3, 4 and 8 were discussed. In particular, Examiner Akinyemi indicated that the proposed amendments to independent claims 1, 3, 4 and 8 would overcome the current rejections. However, no agreement with respect to allowability of the pending claims was reached since additional search may be required.

In view of the telephone interview, Applicant proposes amending independent claims 1, 3, 4 and 8 to include the limitation “*wherein the ratio between the center frequency and a frequency of the first mixing signal is equal to $(N+1)/N$ or $(N-1)/N$, wherein N is the division factor.*” The above-identified limitation of amended claims 1, 3, 4 and 8 is similar to the limitation “*wherein the ratio between the center frequency and the first frequency is equal to $(N+1)/N$, wherein N is the division factor*” recited in claims 9 and 11 and the limitation “*wherein the ratio between the center frequency and the first frequency is equal to $(N-1)/N$, wherein N is the division factor*” recited in claims 10 and 12. Additionally, Applicant proposes canceling claims 9-12.

Accordingly, Applicant respectfully asserts that the pending claims, as amended, are patentable over the cited references. Thus, Applicant respectfully requests that the claim amendments be entered to place the pending claims in condition for allowance.

CONCLUSION

Applicant respectfully requests reconsideration of the claims in view of the proposed amendment and remarks made herein. A notice of allowance is earnestly solicited.

Respectfully submitted on behalf of:

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